

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of the Claims

Claims 1, 2 and 4-24 were pending and under active consideration in the subject application. With this Response, claim 25 has been newly added. Hence, upon entry of this paper, claims 1, 2 and 4-25 are pending in the subject application and under active consideration.

Request for Examiner Interview

Applicants respectfully request an examiner interview, prior to the next response from the Patent Office.

Claim Rejections under 35 U.S.C. § 103

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,719,918 to Sebetciouglu et al. ("Sebetciouglu") in view of US 2003/0004876 to Jacobson ("Jacobson") and U.S. Patent No. 7,716,133 to Foote et al. ("Foote"). Claims 2 and 4-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sebetciouglu and Foote, and further in view of Jacobson. Applicants respectfully traverse these rejections for at least the following reasons.

Independent claim 1 recites:

A transaction device comprising:
a station capable of carrying out a transaction; and
an apparatus capable of setting up a wireless communication network with one or more mobile terminals, based on a connection protocol, as well as a communication with the station,
wherein the apparatus is configured with an adaptable physical perimeter selected to cover a determined zone, close to the station,
wherein the connection protocol is configured to allow the initial exchange of an identity information (IDS) transmitted by a mobile terminal present in the zone in exchange for a unique temporary code

(*IDT*), such exchange being followed by the launch of a background function allowing the preparation of at least part of a transaction on the basis of the identity information (IDS), and

wherein the station is capable, upon presentation of the unique temporary code (IDT), of recovering, then completing as required, and validating the transaction.

Sebetciouglu, Jacobsen and Foote fail to disclose the above italicized features of claim 1, in the context of that claim of: (1) “wherein the apparatus is configured with an adaptable physical perimeter selected to cover a determined zone, close to the station,” (2) “wherein the connection protocol is configured to allow the initial exchange of an identity information (IDS) transmitted by a mobile terminal present in the zone in exchange for a unique temporary code (IDT),” and (3) “wherein the station is capable, upon presentation of the unique temporary code (IDT), of recovering, then completing as required, and validating the transaction.”

Serbetciouglu discloses a transaction handling system for use in a cellular telephone network, using Short Messages. Serbetciouglu, however, as recognized by the Patent Office, fails to disclose, teach or suggest that the apparatus is configured with an adaptable physical perimeter selected to cover a determined zone, close to the station. Thus, Serbetciouglu fails to disclose or suggest feature (1) “wherein the apparatus is configured with an adaptable physical perimeter selected to cover a determined zone, close to the station.”

Moreover, Serbetciouglu does not disclose a connection protocol configured to allow the initial exchange of an identify information (IDS) transmitted by a mobile terminal in exchange for a unique temporary code (IDT), nor that the station is capable, upon presentation of the unique temporary code, of recovering, then completing as required, and validating the transaction. Thus, Serbetciouglu further does not disclose either features (2) or (3) of claim 1.

Foote does not cure the deficiencies of Serbetciouglu.

Foote discloses a method for updating a self-service terminal, such as an ATM, so that it can receive user commands from a wireless telephone. This method can include retrofitting the terminal with a transceiver adapted to receive signals from a wireless telephone. Foote

discloses two embodiments for its transceiver. In a first embodiment of this method, the Foote transceiver is adapted to implement a local wireless communication, such as Bluetooth (col. 2, lines 27-29). In a second embodiment, the transceiver is adapted to receive and transmit signals via a cellular network, and implements wireless telephony (col. 2, lines 30-31).

Foote, however, does not disclose the feature of claim 1 of “wherein the apparatus is configured with an adaptable physical perimeter selected to cover a determined zone, close to the station.” With respect to the cellular network embodiment of Foote, the physical perimeter of a cellular network is not adaptable, and can not be selected to cover a determined zone. Therefore, Foote discloses only one embodiment, using local wireless communication, wherein the physical perimeter covered by the transmitter covers a determined zone close to the self-service terminal.

Moreover, even though Foote discloses two embodiments with two different physical perimeters (one of which is not close to the station), Foote does not disclose an embodiment wherein the physical perimeter is adaptable and selected to cover a determined zone. With respect to the embodiment using local wireless communication, Applicants note that a Bluetooth transmitter has a fixed perimeter, which can not be adapted. Therefore, Foote does not disclose, teach or suggest an apparatus configured with an adaptable physical perimeter selected to cover a determined zone, close to the station, and does not disclose feature (1) of claim 1.

Moreover, Foote does not disclose the feature of claim 1 of “wherein the station is capable, upon presentation of the unique temporary code (IDT), of recovering, then completing as required, and validating the transaction.” Foote does not disclose that the self-service terminal is capable, upon presentation of the unique temporary code, of recovering, then completing as required, and validating the transaction. Indeed, as disclosed in col. 7, lines 14-20 of Foote, the transaction is completed when the user confirms that he wishes to proceed with the transaction, but this confirmation does not imply any unique temporary code.

Consequently, even if Serbetciouglu and Foote were combined, the combination would not have the features of claim 1 of “wherein the apparatus is configured with an adaptable physical perimeter selected to cover a determined zone, close to the station,” or “wherein the station is capable, upon presentation of the unique temporary code (IDT), of recovering, then completing as required, and validating the transaction.”

Jacobson was cited for disclosing other features of the claims, but fails to cure the deficiencies of Serbetciouglu and Foote.

The dependent claims depend either directly or indirectly from claim 1 and are patentable for at least the same reasons, as well as for further patentable features recited therein.

CONCLUSION

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance

of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment be charged to Deposit Account No. 19-0741.

Respectfully submitted,

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